

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Aronna M. Winston,)	C/A No.: 3:13-2580-JFA-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
The Dermatology Group LLC,)	
)	
Defendant.)	
)	

This matter comes before the court on the motion of The Dermatology Group LLC (“Defendant”) to compel Aronna M. Winston (“Plaintiff”) to produce responses to Defendant’s First Set of Interrogatories and First and Second Sets of Requests for Production served on October 29 and 30, 2013. [Entry #12]. The motion indicates that the discovery requests were duly served and that full and complete responses have not been made within the time prescribed by Fed. R. Civ. P. 26.

Attached to the motion is correspondence between the parties documenting defense counsel’s repeated requests for the overdue discovery. [Entry #12-2]. Pursuant to the correspondence, and after repeated extensions, Plaintiff’s deadline to respond to the discovery requests was February 28, 2014. [Entry #12-2 at 12]. Defense counsel represents that as of February 28, 2014, Plaintiff had not answered or responded to the discovery requests. [Entry #12 at 1].

In light of the foregoing, the court grants Defendant’s motion to compel. Plaintiff is directed to provide responses to the discovery request by March 14, 2014. Because

Plaintiff failed to timely respond to the discovery, any and all objections are deemed waived under Fed. R. Civ. P. 33(b)(4).

The court also grants Defendant's motion for attorney's fees. Defendant is directed to file an affidavit on the record setting out the time expended in connection with filing the present motion and with drafting the correspondence related to the overdue discovery. The affidavit should also provide the hourly rate that the client has been billed.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

March 6, 2014
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge